

### REMARKS

Reconsideration of the present application is respectfully requested.

The original claims have been replaced by new claims 22-38, including four independent claims 22, 31, 34 and 36.

New claim 22 recites, *inter alia*, a mobile illuminating device comprising a housing, an axially extending section of which forms an internal space divided into receptacles that occupy respective circumferentially adjacent portions of the axial section. In other words, a plane perpendicular to the longitudinal axis of the axial space can be drawn which passes through the receptacles. One of the receptacles contains the support plate on which illuminating elements are mounted, and another of the receptacles defines a battery-receiving receptacle.

In the Reiff et al patent, the battery receptacle and the LED receptacle are not circumferentially adjacent one another. Rather, they are axially adjacent one another. For example, with reference to Fig. 7, the LEDs are shown in a receptacle located at the right-hand side of the device, whereas the battery 148 is located in a receptacle (not shown) that is formed in a receptacle located at the left-hand side of the device. By locating the LEDs and the battery(s) in the presently claimed manner, the overall length of the device can be minimized as compared to the relatively lengthy arrangement disclosed by Reiff et al.

Accordingly, it is submitted that claim 22 distinguishes patentably over the Reiff et al patent, along with dependent claims 23-30.

Each of independent claims 31 and 34 recites the presence of a perforated plate containing slots through which an illuminating element extends. Original claim 15, which recited that feature, was indicated as allowable in the Official Action.

Since the Reiff et al patent does not disclose such a perforated plate, it is submitted that claims 31 and 34, and all claims dependent therefrom, are allowable.

Independent claim 36 recites, *inter alia*, that the surface of the housing presents an opening through which extends a push button disposed on the support plate on which the illuminating elements are mounted. Original claim 11 also recited such a structure and was deemed allowable, so it is submitted that claim 36 is allowable for the same reason.

Page 9 of the description has been amended to provide antecedent basis for language now used in claim 22 as required by 37 C.F.R. §1.75(d)(1).

In light of the foregoing new claims and remarks, it is submitted that the application is in condition for allowance.

Respectfully submitted,

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